

FEB 01 2002

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PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 720.00**Complete if Known**

| | |
|----------------------|---------------|
| Application Number | 09/895,713 |
| Filing Date | June 29, 2001 |
| First Named Inventor | Sachs |
| Examiner Name | TBA |
| Group Art Unit | 1632 |
| Attorney Docket No. | 59056.131CON |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
Deposit Account Name

08-0219

Hale and Dorr LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity | Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|------------------------|----------|
| 101 740 | 201 370 | Utility filing fee | |
| 106 330 | 206 165 | Design filing fee | |
| 107 510 | 207 255 | Plant filing fee | |
| 108 740 | 208 370 | Reissue filing fee | |
| 114 160 | 214 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) --**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** = | X | |
| Multiple Dependent | -3** = | X | |

Large Entity | Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description |
|---------------|---------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 84 | 202 42 | Independent claims in excess of 3 |
| 104 280 | 204 140 | Multiple dependent claim, if not paid |
| 109 84 | 209 42 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) --

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity | Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 400 | 216 200 | Extension for reply within second month | |
| 117 920 | 217 460 | Extension for reply within third month | |
| 118 1,440 | 218 720 | Extension for reply within fourth month | 720.00 |
| 128 1,960 | 228 980 | Extension for reply within fifth month | |
| 119 320 | 219 160 | Notice of Appeal | |
| 120 320 | 220 160 | Filing a brief in support of an appeal | |
| 121 280 | 221 140 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,280 | 241 640 | Petition to revive - unintentional | |
| 142 1,280 | 242 640 | Utility issue fee (or reissue) | |
| 143 460 | 243 230 | Design issue fee | |
| 144 620 | 244 310 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 180 | 126 180 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | |
| 146 740 | 246 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 740 | 249 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 740 | 279 370 | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 720.00**SUBMITTED BY**

Complete (if applicable)

| | | | | | |
|-------------------|--------------------------|-----------------------------------|---------------|-----------|--------------|
| Name (Print/Type) | Michael J. Twomey | Registration No. (Attorney/Agent) | 38,349 | Telephone | 617-526-6190 |
| Signature | <i>Michael J. Twomey</i> | Date | Jan. 15, 2002 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



COPY OF PAPERS
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 59056.131CON)

In re Application of: Sachs) Examiner: Not Yet Assigned
Serial No: 09/895,713) Art Unit: 1632
Filed: June 29, 2001)

For: SPECIFIC TOLERANCE IN TRANSPLANTATION

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on the date indicated below.

Date: 4/15/02


Sharon Matthews

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, Applicant submits the following documents for filing in the above-referenced patent application:

1. Copy of the Notice to File Missing Parts of Nonprovisional Application (required);
2. Response Concerning Sequence Listing of Application;
3. Copy of Executed Declaration and Power of Attorney from priority case; and
4. Fee for Four-Month Extension of Time Petition of \$720.

The total fee due of \$720.00 is to be charged to Deposit Account No. 08-0219. Please also charge any additional fees which might be due, or credit any overpayment to Deposit Account No. 08-0219.

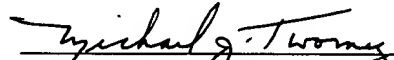
U.S. Serial No. 09/895,713
Page Two



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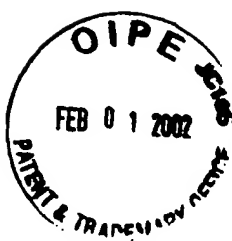
If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,


Michael J. Twomey, Reg. No. 38,349
Attorney/Agent for Applicant

Date: Jan. 15, 2002

HALE AND DORR LLP
60 State Street
Boston, MA 02109
(617) 526-6000
(617) 526-5000 (Facsimile)



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#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 59056.131CON)

In re Application of: Sachs) Examiner: Not Yet Assigned
Serial No: 09/895,713) Art Unit: 1632
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Date: 4/15/02

Sharon Matthews

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

RESPONSE CONCERNING SEQUENCE LISTING OF APPLICATION

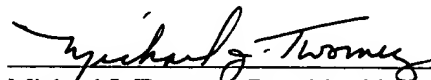
Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application (copy enclosed), please be advised that present application is a continuation of U.S. Patent Application No. 08/910,287 (issue fee paid on June 29, 2001). In accordance with 37 C.F.R. 1.821 (e), the computer readable form of the Sequence Listing for present application is identical to that of the parent application. The computer readable form of the Sequence Listing of the parent application was compliant with all of the requirements of the U.S. Patent and Trademark Office. Therefore, a duplicate computer readable Sequence Listing is not required for present application. Applicants hereby request that the computer readable Sequence Listing from U.S. Patent Application No. 08/910,287 also be used for U.S. Patent Application No. 09/895,713. The Sequence Listing for the present application (09/895,713) is identical to the computer readable copy and the written copy of the Sequence Listing for the parent application (U.S. Patent Application No. 08/910,287).

No additional fees are believed to be due in connection with this filing. However, please charge any underpayments or credit any overpayments to our Deposit Account No. 08-0219.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,
HALE AND DORR LLP



Michael J. Twomey, Reg. No. 38,349
Attorney/Agent for Applicant

Date: Jan. 15, 2002
HALE AND DORR LLP
60 State Street
Boston, MA 02109
(617) 526-6000
(617) 526-5000 (fax)



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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/895,713 | 06/29/2001 | David H. Sachs | 059056-131CON |

23483
HALE AND DORR, LLP
60 STATE STREET
BOSTON, MA 02109

CONFIRMATION NO. 7385

FORMALITIES LETTER

OC00000006323711

Date Mailed: 07/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 130.**
- o This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- o A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

03/25/2002 YGIZAH 00000001 080219 09895713

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For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
-

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "Ahmad", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE